

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

IN RE PHARMACEUTICAL INDUSTRY
AVERAGE WHOLESALE PRICE LITIGATION

MDL No. 1456

CIVIL ACTION: 01-CV-12257-PBS

Judge Patti B. Saris

THIS DOCUMENT RELATES TO:

State of Nevada v. Dey, Inc., et al.,
Civil Action No. 3:06-CV-00539 (D. Nev.)

**NOTICE OF WITHDRAWAL OF PLAINTIFF STATE OF NEVADA'S MOTION
TO REMAND AND REQUEST FOR ORAL ARGUMENT**

The State of Nevada hereby advises the Court that they have withdrawn their Motion to Remand And Request For Oral Argument ("Motion"). The Motion was originally filed in the U.S. District Court for the District of Nevada on November 13, 2006. The case was subsequently transferred to this Court pursuant to Conditional Transfer Order No. 33 on November 28, 2006. The transfer was finalized on November 27, 2004 and CTO No. 33 was entered by the Court on December 4, 2006.

1 By /s/ Steve W. Berman

DATED: February 15, 2007

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CERTIFICATE OF SERVICE

I hereby certify that I, Steve W. Berman, an attorney, caused a true and correct copy of the foregoing, **NOTICE OF WITHDRAWAL OF PLAINTIFF STATE OF NEVADA'S MOTION TO REMAND AND REQUEST FOR ORAL ARGUMENT**, to be delivered to all counsel of record by electronic service pursuant to Paragraph 11 of the Case Management Order No. 2, by sending on February 15, 2007, a copy to LexisNexis File & Serve for posting and notification to all parties.

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